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Attorney Docket **P1089R1C1**  
PATENT

11/28/00  
JC970 U.S. PTO

**CERTIFICATION UNDER 37 CFR 1.10**

**EL 599585009 US:** Express Mail Number

**November 28, 2000:** Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Janet Tse

JC564 U.S. PTO  
09/724868  
11/28/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Xanthe M. Lam, San Francisco, California**  
**James Q. Oeswein, Moss Beach, California**  
**Boonsri Ongpipattanakul, Pomprab, Bangkok, THAILAND**  
**Zahra Shahrokh, San Francisco, California**  
**Sharon X. Wang, San Mateo, California**  
**Robert P. Weissburg, Greenville, Delaware**  
**Rita L. Wong, San Mateo, California**

Title: **Antibody Formulation**

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 09/097,171, filed 12 June 1998, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

58 pages of specification  
2 pages of claims  
1 page(s) of abstract

29 sheet(s) of drawings  
[X] formal [] informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
— An executed declaration of the inventor(s) [] is enclosed [] will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
X A copy of the executed declaration/oath filed in the prior application is enclosed  
(37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
— A signed statement is attached deleting inventor(s) named in the prior  
application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*  
— An Assignment of the invention to GENENTECH, INC. [] is enclosed with  
attached Recordation Form Cover Sheet [] will follow.

*(for cont./div.)*  
X The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

— Cancel in this application original claims \_\_\_ of the prior application before calculating the  
filing fee. (At least one original independent claim must be retained for filing purposes.)

— A preliminary amendment is enclosed. (Claims added by this amendment have been  
properly numbered consecutively beginning with the number next following the highest  
numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

X Amend the specification by inserting before the first line the sentence:

--This is a

— non-provisional application  
X continuation  
— divisional  
— continuation-in-part

of co-pending application(s)

- X   Serial No. 09/097,171 filed on 12 June 1998, which claims priority to Provisional Patent Application No. 60/053,087, filed on 13 June 1997, which applications are incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --
- International Application    filed on    which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--
- provisional application No.    filed   , the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	23	- 20 =	3	X \$18.00	\$44.00
Independent Claims	3	- 3 =	0	X \$80.00	\$0.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$754.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$754.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Request to Use Computer-Readable Sequence Listing Under 37 CFR §1.821(e).
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

       A petition, fee and/or response has been filed to extend the term in

the pending prior application until  
A copy of the petition for extension of time in the *prior* application  
is attached.

**11. Correspondence Address:**

X Address all future communications to:

Attn: Lee K. Tan, Ph.D.

Respectfully submitted,  
GENENTECH, INC.

Date: November 28, 2000

By: Lee Tan  
Lee K. Tan, Ph.D.  
Reg. No. 39,447  
Telephone No. (650) 225-4462



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PATENT TRADEMARK OFFICE